



A G E N D A
OCONEE COUNTY COUNCIL MEETING
Tuesday, April 20, 2010
6:00 PM
Council Chambers
Oconee County Administrative Offices
415 South Pine Street, Walhalla, SC

1. Call to Order
2. Public Comment Session *(Limited to forty (40) minutes, four (4) minutes per person.)*
Comments MUST be related to a specific agenda item slated for action at this meeting
3. Extended Public Comment Session *(Limited to 2 citizens per meeting, prior scheduling required with Clerk to Council, five [5] minutes per person. Comments not limited to specific agenda item)*
 - None Scheduled for this Meeting
4. Meeting Recess *[Meeting will Recess no later than 6:50 p.m.]*

5. Meeting Reconvenes *[Meeting will Reconvene at 7:00 p.m.]*
6. Moment of Silence
7. Pledge of Allegiance to the Flag of the United States of America
8. Approval of Minutes:
 - April 13, 2010: Regular Meeting
9. Presentation by Outside Organizations *[Max 10 min. per presentation]*
[1] ACOG Annual Report on Services to the County / Mr. Steve Pelissier
10. Public Hearings regarding the Following Ordinances:
Ordinance 2010-02 “AN ORDINANCE TO ESTABLISH CENTRALIZED PROCUREMENT REGULATIONS FOR OCONEE COUNTY, REPLACING ORDINANCE 2001-15 AND AMENDMENT ORDINANCE 2002-12.”
Ordinance 2010-03 “AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO *[Luther Land /Petty Road]*
Ordinance 2010-05 “AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF SPECIAL SOURCE REVENUE BONDS OF OCONEE COUNTY, SOUTH CAROLINA; PRESCRIBING THE FORM OF BONDS; LIMITING THE PAYMENT OF THE BONDS SOLELY TO THE PLEDGED REVENUES RECEIVED AND RETAINED BY THE COUNTY FROM THE PAYMENT OF FEES IN LIEU OF TAXES FROM CERTAIN JOINT COUNTY INDUSTRIAL AND BUSINESS PARKS AND PLEDGING THE PLEDGED REVENUES TO SUCH PAYMENT; CREATING CERTAIN FUNDS AND PROVIDING FOR PAYMENTS INTO SUCH FUNDS; AND MAKING OTHER COVENANTS AND AGREEMENTS IN CONNECTION WITH THE FOREGOING”
Ordinance 2010-06 “A FIRST SUPPLEMENTAL ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF A NOT EXCEEDING \$3,500,000 SPECIAL SOURCE REVENUE BOND, SERIES 2010, OF OCONEE COUNTY, SOUTH CAROLINA; PRESCRIBING THE FORM AND DETAILS OF SUCH BOND; AUTHORIZING THE CHAIRMAN OR VICE-CHAIRMAN AND THE COUNTY ADMINISTRATOR TO DETERMINE CERTAIN MATTERS RELATING TO THE BOND; PROVIDING FOR THE PAYMENT OF THE BOND AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO.”

10. [Ordinance 2010-07](#) AN ORDINANCE TO DEVELOP A JOINT COUNTY BUSINESS PARK IN CONJUNCTION WITH PICKENS COUNTY, SOUTH CAROLINA (“PICKENS COUNTY”), SUCH BUSINESS PARK TO BE GEOGRAPHICALLY LOCATED IN OCONEE COUNTY, SOUTH CAROLINA (“OCONEE COUNTY”) AND ESTABLISHED PURSUANT TO ARTICLE VIII, SECTION 13 OF THE SOUTH CAROLINA CONSTITUTION, AND SOUTH CAROLINA CODE OF LAWS OF 1976 §4-1-170, ET SEQUITUR, AS AMENDED; TO PROVIDE FOR A WRITTEN AGREEMENT WITH PICKENS COUNTY PROVIDING FOR THE PAYMENT OF EXPENSES OF THE PARK, THE PERCENTAGE OF REVENUE APPLICATION, AND THE DISTRIBUTION OF FEES-IN-LIEU OF *AD VALOREM* TAXES TO OCONEE COUNTY, PICKENS COUNTY AND RELEVANT TAXING ENTITIES; TO PROVIDE THAT JOBS TAX CREDITS ALLOWED BY LAW BE PROVIDED FOR BUSINESSES LOCATING IN SAID PARK; TO PERMIT A USER FEE-IN-LIEU OF *AD VALOREM* TAXATION WITHIN SAID PARK; AND OTHER MATTERS RELATED THERETO” & [Agreement for Development of Joint Industrial Park](#).

[Ordinance 2010-08](#) AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2010, OF OCONEE COUNTY, SOUTH CAROLINA, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$6,840,000 FOR THE PURPOSE OF REFUNDING CERTAIN OF THE COUNTY’S GENERAL OBLIGATION BONDS; FIXING THE FORM AND CERTAIN DETAILS OF THE BONDS; AUTHORIZING THE CHAIRMAN OF COUNTY COUNCIL AND THE COUNTY ADMINISTRATOR TO DETERMINE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO.

11. Consideration of the Following Ordinances:

[1] Third & Final Reading of [Ordinance 2010-02](#) [text above]

[2] Third & Final Reading of [Ordinance 2010-03](#) [text above]

[3] Third & Final Reading of [Ordinance 2010-08](#) [text above]

[4] First Reading [in title only] of **Ordinance 2010-14** “AN ORDINANCE TO REQUEST DEFERRAL OF THE FORMULATION OF A REFERENDUM BALLOT QUESTION BY THE CAPITAL PROJECTS SALES TAX COMMISSION OF OCONEE COUNTY, SOUTH CAROLINA; TO AMEND CHAPTER 2, ARTICLE IV OF THE CODE OF ORDINANCES OF OCONEE COUNTY PERTAINING TO COMMITTEES IN ORDER TO ESTABLISH THE CAPITAL PROJECTS COMMITTEE; AND OTHER MATTERS RELATED THERETO”

[5] First Reading [in title only] of **Ordinance 2010-17** “AN ORDINANCE TO AMEND CHAPTER 26 OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO THE AMENDMENT OF CERTAIN UNIFIED ROAD STANDARDS FOR THE UNINCORPORATED AREAS OF OCONEE COUNTY, THE AMENDMENT OF ROAD CONSTRUCTION INSPECTION POLICIES AND PROCEDURES AND THE ESTABLISHMENT OF FUNDING FOR SUCH INSPECTIONS, AND THE REVISION OF ROAD SIGNAGE POLICIES AND PROCEDURES AND THE ESTABLISHMENT OF FUNDING FOR SUCH SIGNAGE; AND OTHER MATTERS RELATED THERETO”

12. Discussion & Possible Action Items

[5 min. per Action Item]

[1] Third Quarter Financial Report / Ms. Kendra Brown

[2] Sheriff Department / Lake Patrol Contract

This is an annual contract between the Sheriff’s Department and the Army COE for additional patrolling on Lake Hartwell.

It is the staff’s recommendation that Council authorize the Administrator to execute the contract as outlined.

12. [3] Consent Agenda Items: ATAX Grant Requests / \$10,695
- a. Battle of Oconee / \$1,500 / Advertising
 - b. Cherokee Bear Clan / \$1,500 / Sign Lettering for "Museum of the Cherokee"
 - c. Fair Play Blue Grass/Gospel Festival / \$1,500 / Advertising
 - d. Blue Ridge Arts Council / \$1,500 / Advertising
 - e. Historic Old Pickens Foundation / \$665 / Advertising
 - f. Oconee Heritage Center / \$1,030 / Purchase Steel Flat Map File Cabinet
 - g. Patriot's Hall Veteran's Museum / \$1,500 / Advertising
 - h. Walhalla Partners for Progress / \$1,500 / Assist w/Roofing for Historic Old St. Johns Church

[4] Library BOD / \$308,193.28 / Request for Matching Funds for USDA Grant
 Planning Commission Recommendation Regarding Loan/Grant for Library

The Oconee County Library BOD is requesting the Council to secure \$6.1 million in USDA General Obligation Bonds for the construction of a new county library in Seneca, subject to the condition that these bonds be met by a grant of \$2.5 million by the USDA. The Bonds will be through the USDA at a 40 year term with 4%, with no penalty for prepayment.

[5] Walhalla Health Department Roof / \$39,700

A new roof was budgeted for the Walhalla Health Department in the FY09-10 budget, in the amount of \$77,000. The original roof from 1970 was overlaid with foam in the mid-nineties which is now starting to crack.

Oconee County School District solicited Bid No. 159-529 for roof removal and installation services and Interstate Roofing Company was determined the successful bidder. This contract is in the fifth and final year and during this time Interstate Roofing has been used successfully numerous times by the School District with no problems. The County has previously used this bid for the roof at the DSS building and also for the roof at the Brown building with no issues with this Contractor. The labor total listed above is calculated using the hourly rate from the School District Bid No. 159-529.

On April 7, 2010, formal sealed bids were opened for the roofing materials required to re-roof the Health Department. Best Distributing of Charlotte, NC submitted the lowest bid of \$23,419.27. A separate purchase order will be issued to Best Distributing for the roofing materials.

It is the staff's recommendation that Council approve the purchase order for labor to replace the Walhalla Health Department roof to Interstate Roofing Company, Inc. of Charlotte, NC, in the amount of \$39,700, per School District Bid No. 159-529.

[6] Change Order #7 to PO #44635 / \$5,000 / Ard, Wood, Holcombe & Slate / ADA Issues

Due to the litigation for the Oconee County Courthouse, Ard, Wood, Holcombe & Slate was selected by a previous Administrator, Tom Hendricks to assist in the ADA issues recognized by the US Department of Justice. (USDOJ)

The original PO 44635 was for \$25,000 to prepare a response to the USDOJ. This firm has been preparing "as built drawings" and renovation options to submit to the USDOJ, and assisting the County in preparing other design modifications and dimension solutions for ADA compliance as this process continues.

- Change Order # 1 in the amount of \$75,000.00 was approved by Council on April 1, 2008,
- Change Order # 2 in the amount of \$22,500.00 was approved by Council on June 3, 2008,
- Change Order # 3 in the amount of \$48,776.24 was approved by Council on February 17, 2009,
- Change Order # 4 in the amount of \$15,000.00 was approved by Council on June 2, 2009,
- Change Order # 5 in the amount of 10,000.00 was approved by Council on September 1, 2009,
- Change Order # 6 in the amount of \$19,375.00 was approved by Council on December 15, 2009 bringing the total of the PO to \$215,651.24.

The original budget for the Courthouse corrections was \$335,000 in account # 012-501-82004-00000 beginning in 2007. The corrected available balance in this account, prior to Change Order #7 was 8,357.37. After CO #7 the remaining balance will be \$3,357.37.

It is the staff's recommendation that Council approve Change Order # 7 in the amount of \$5,000.00 which will bring PO 44635 to Ard, Wood, Holcombe & Slate to a total of \$220,651.24.

[7] County Tax Collector / Contract / Sole Source / Palmetto Posting, Inc. / not to exceed \$38,000

The County desires to employ an independent contractor to take exclusive physical possession of properties on which ad valorem property taxes are due, by posting a notice on the premises in accordance with SC Code of Laws, Section 12-51-40. This will be the third year the County will utilize Palmetto Posting, Inc. and they will charge a fee of \$20 per parcel. The posting of parcels prior to two years ago had been done in-house by delinquent tax staff. The time to perform this task averaged 12 to 15 weeks depending on the number of parcels. This work time could be better utilized performing tasks that will generate additional county revenue.

Palmetto Posting utilizes proprietary software and a patented process to post delinquent tax notices and is the only known company in existence offering this service. This will reduce the posting time frame to three weeks, therefore, alerting taxpayers and allowing them additional time to pay required taxes.

There is no cost to the County general budget; the cost is paid for through the funds collected from delinquent tax payers.

It is the staff's recommendation that Council award this contract, not to exceed \$38,000 to Palmetto Posting, Inc., of Spartanburg, SC as a sole source.

13. Board & Commission Appointments *[None Scheduled for this meeting]*
14. Commission / Board Reports to Council **[ten minute maximum]**
 - ATAX Committee *[Economic Development Commission will report on May 18, 2010]*
15. Council Committee Reports
 - Budget, Finance & Administration / Mr. Dexter
16. Administrator Report
17. Old Business
18. New Business
19. Executive Session
 - [for the purpose of discussing a personnel matter related to the open Administrator position]*
 - Vote/Action on matters discussed in Executive Session *[if required]*
20. Adjourn
 - [This agenda is not inclusive of all issues which Council may bring up for discussion at this meeting.]*

Oconee County Council & Committee meeting schedules and agendas
are posted at the Oconee County Administration Building and are available on the County Council Website

www.oconeesc.com/council.html

[All upcoming meetings will be held in Council Chambers unless otherwise noted]